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Chief Executive Officer

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Third District

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Fifth District

October 14, 2015

To: Supervisor Michael D. Antonovich, Mayor
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe

From: Sachi A. Hamai
Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

This memorandum contains a report on additional actions taken by Governor Brown on County-advocacy legislation and measures of County interest.

- **Status of County-Advocacy Legislation**
 - **County-supported SB 792 (Mendoza)** - related to immunizations for child care workers, was signed by the Governor on October 11, 2015.
- **Status of Legislation of County Interest**
 - **Elections and Voting Rights.** A report on five measures related to election procedures and voting rights.
 - **Port Drivers and Wage Theft Enforcement.** A report on three measures related to the misclassification of port drivers and wage theft enforcement by the State.

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Status of County-Advocacy Legislation

County-supported SB 792 (Mendoza), which as amended on September 4, 2015, would prohibit a person who has not been immunized against influenza, pertussis, and measles from being employed at a day care center or a family day care home for children, was signed by the Governor on October 11, 2015. This measure is Chapter 807, Statutes of 2015, and it becomes effective on September 1, 2016.

Status of Legislation of County Interest

Elections and Voting Rights

AB 44 (Mullin), which as amended on August 31, 2015, would permit the Governor or Secretary of State to order a State-funded manual recount of all votes cast for statewide office or a State ballot measure if the difference in the number of votes received is less than or equal to the lesser of 1,000 votes or 0.015 percent of the number of all votes cast, was signed by the Governor on October 10, 2015. This measure is Chapter 723, Statutes of 2015, and it becomes effective on January 1, 2016.

AB 182 (Alejo, Bonta, and Hernández), which as amended on June 22, 2015, would prohibit the use of a district-based election in a political subdivision if it would impair the ability of a protected class to elect candidates of its choice, was vetoed by the Governor on October 10, 2015.

In his veto message, the Governor stated that the Federal Voting Rights Act and the California Voting Rights Act provide important and sufficient safeguards to ensure that the electoral strength of minority voters is protected.

AB 277 (Hernández), which as amended on April 7, 2015, would amend the California Voting Rights Act of 2001 definition of political subdivision to expressly include a charter city, charter county, or charter city and county, was signed by the Governor on October 10, 2015. This measure is Chapter 724, Statutes of 2015, and it becomes effective on January 1, 2016.

AB 363 (Steinorth), which as amended on August 17, 2015, would authorize county election officials to process ballots at a central counting place before the closing of the polls, require county officials to notify the public of the delivery and transfer of ballots, and require the Secretary of State to adopt regulations addressing the secure delivery and transfer of ballots, was signed by the Governor on October 10, 2015. This measure is Chapter 725, Statutes of 2015, and it becomes effective on January 1, 2016.

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AB 1301 (Jones-Sawyer and Alejo), which as amended on May 12, 2015, would require Secretary of State pre-clearance of new local election laws, regulations, or policies, excluding changes to voting locations, was vetoed by the Governor on October 10, 2015.

In his veto message, the Governor stated that the impairment of key provisions in the Federal Voting Rights Act deserves a national remedy. The Governor further stated that he is unconvinced that a California-only pre-clearance system is needed.

Port Drivers and Wage Theft Enforcement

AB 621 (Hernandez), which as amended on September 4, 2015, would enact a limited amnesty program under which trucking companies would be relieved of statutory or civil liabilities associated with the misclassification of port drivers as independent contractors, if they agree to convert all of their commercial drivers to employees and pay all wages, benefits, and taxes owed, was signed by the Governor on October 10, 2015. This measure is Chapter 741, Statutes of 2015, and it becomes effective on January 1, 2016.

AB 970 (Nazarian), which as amended on August 24, 2015, would allow the State Labor Commissioner, upon requests from local entities, to: 1) enforce local laws regarding minimum wage and overtime hours; and 2) issue citations and penalties for violations, except when the local entity has already issued a citation or has initiated an investigation against an employer for the same violation, was signed by the Governor on October 11, 2015. This measure is Chapter 783, Statutes of 2015, and it becomes effective on January 1, 2016.

SB 588 (De León), which as amended on September 4, 2015, would authorize the State Labor Commissioner, when enforcing nonpayment of wages, to: 1) file a lien or levy on an employer's property in order to collect unpaid wages for the employee; 2) prohibit employers who do not comply with conducting business in California unless the employer has obtained a surety bond of \$150,000; and 3) would make entities contracting with the employer for property services (e.g., janitorial, security guard, parking, landscaping) and long-term care facility industries, where those employers have been named as a defendant, jointly and severally liable for the unpaid judgment, was signed by the Governor on October 11, 2015. This measure is Chapter 803, Statutes of 2015, and it becomes effective on January 1, 2016.

We will continue to keep you advised.

SAH:JJ:MR
OR:IGEA: gl

c: All Department Heads
Legislative Strategist